

TITLE 1. ADMINISTRATION
STATE BOARD OF ELECTIONS

Final Regulation

REGISTRAR'S NOTICE: The State Board of Elections is claiming an exemption from the Administrative Process Act pursuant to § 2.2-4002 B 8 of the Code of Virginia, which exempts agency action relating to the conduct of elections or eligibility to vote.

Title of Regulation: **1VAC20-60. Election Administration (adding 1VAC20-60-70).**

Statutory Authority: § 24.2-103 of the Code of Virginia.

Effective Date: October 26, 2020.

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Summary:

The action establishes logic and accuracy testing requirements for electronic pollbooks.

1VAC20-60-70. Mandatory logic and accuracy testing for electronic pollbooks.

All localities must perform logic and accuracy testing on their electronic pollbooks (EPBs) and certify to the Department of Elections that testing was completed by noon on the day prior to any election. This testing must confirm that the EPBs will provide promptly an accurate and secure record of those who have voted pursuant to § 24.2-611 of the Code of Virginia. Specifically, the logic and accuracy testing must do the following:

1. The logic and accuracy testing must confirm that the appropriate election-specific data files were downloaded to the electronic pollbook. In dual primary elections, localities must show that applicable voter registration files were downloaded from both political parties so that the combined data files contain all voters and all absentee ballot information for voters eligible to participate in the election.
2. The logic and accuracy testing must confirm that the electronic pollbooks for each election are set to the correct type of election being held in that jurisdiction. For example, the data on the electronic pollbook must correlate with whether the upcoming election is a primary (single or dual) or general election.
3. The logic and accuracy testing must show that all precincts will provide the correct ballot styles to voters in the precincts. The locality must provide certification to the Department of Elections that all EPBs being used in an election have been tested in compliance with this section.

If a locality repeatedly fails to perform logic and accuracy testing on their electronic pollbooks, then the Department of Elections and State Board of Elections may disallow the locality's use of electronic pollbooks in subsequent elections.